UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/811,881	03/30/2004	Kaoru Nakabayshi	Q80735	2777

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

	Application No.	Applicant(s)
Office Action Summary	10/811,881	NAKABAYSHI ET AL.
	Examiner	Art Unit	
	Thomas D. Lee	2625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *11 June 2007*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-8,13,14,16-23,28-32 and 35-42* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-8,13,14,16-23,28-32 and 35-42* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some *   c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *4/4/07*.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5)☐ Notice of Informal Patent Application
6)☐ Other: _____ .

DETAILED ACTION

Response to Amendment

1.   This Office action is responsive to Applicants RESPONSE UNDER 37 C.F.R. §

1.116, filed June 11, 2007. Claims 1-8, 13, 14, 16-23, 28-32 and 35-42 are pending.

Response to Arguments

2.   Applicant's arguments, see page 2 of the above RESPONSE, filed June 11,

2007, with respect to the rejection(s) of claim(s) 1-8, 13, 14, 16-23, 28-32 and 35-42

under 35 U.S.C. 103(a) have been fully considered and are persuasive. Therefore, the

rejection has been withdrawn. However, upon further consideration, a new ground(s) of

rejection is made in view of U.S. Patent 5,587,799 (Kawamura et al., hereinafter

Kawamura).

Claim Rejections - 35 USC § 103

3.   The text of those sections of Title 35, U.S. Code not included in this action can

be found in a prior Office action.

4.   Claims 1-7, 16-22, 30-32 and 37-41 are rejected under 35 U.S.C. 103(a) as

being unpatentable over U.S. Patent 5,669,040 (Hisatake) in view of Kawamura.

Regarding claims 1-7, 37 and 38, Hisatake teaches an image data processing

apparatus in which a parameter representing contents of a predetermined image

processing to be executed on image data and the image data are saved together with

mutual relating information, the apparatus comprising: a parameter setting unit which

sets a parameter representing contents of a predetermined image processing to be

executed on image data (job setting display section U2 displays parameters for each job

(column 12, lines 54-67)); a data saving unit which saves the image data and the

parameter together with relating information (image data stored in image data storage

section (column 7, lines 16-31)); a data acquiring unit which acquires the image data

and the parameter by referring to the relating information (related information displayed

as job numbers on job console section U1 (column 12, lines 48-53)); and an image

processing reproducing unit which obtains image data subjected to the specified image

processing based on the acquired image data and parameter (jobs undergo output

process according to job management table (column 10, line 37 – column 11, line 12)).

The parameter represents a type or degree of an image processing (sheet size, number

of copies, magnification displayed on job setting display section (Fig. 8)). There are a

plurality of parameters every image processing type (plural parameters displayed for

each job (Fig. 8)). A plurality of parameters can be saved and execution can selectively

be performed from the parameters (plurality of parameters displayed, execution of

parameters performed for selected job (Fig. 8)). The parameter includes execution

order information for carrying out an image processing in predetermined order

(execution order information (output processing order) provided on job management

table (Figs. 4A, 4B)).

Regarding claim 15, Hisatake teaches a medium recording an image data set

recording: image data (image data stored in image data storage section (column 7, lines

16-31)); a parameter representing contents of a predetermined image processing such

that the image processing can be carried out for corresponding image data (job setting

display section U2 displays parameters for each job (column 12, lines 54-67)); and

relating information for relating the image data to the parameter such that the contents

of the image processing represented by the parameter can be executed on the image

data (related information displayed as job numbers on job console section U1 (column

12, lines 48-53)).

Regarding claims 16-22, 39 and 40, Hisatake teaches a medium recording an

image data processing program for causing a computer to execute steps for performing

image processing as recited in above-rejected claims 1-7, 37 and 38, respectively

(control section includes program ROM (column 7, line 60 – column 8, line 2)).

Regarding claims 30-32, Hisatake teaches an image data processing method in

which a parameter representing contents of a predetermined image processing to be

executed on image data is set, the image data and the parameter are saved together

with relating information (image data stored in image data storage section (column 7,

lines 16-31); job setting display section U2 displays parameters for each job (column 12,

lines 54-67); related information displayed as job numbers on job console section U1

(column 12, lines 48-53)); and the image data and the parameter are acquired by

referring to the relating information, and image data subjected to the specified image

processing are obtained based on the acquired image data and parameter (jobs

undergo output process according to job management table (column 10, line 37 –

column 11, line 12)).

Base claims 1-3, 16-18 and 30-32 have been previously amended to indicate

setting of parameter representing contents "to modify at least one of a hue component,

a luminance value, a lightness value and a color saturation value of the image data."

While this limitation is not disclosed by Hisatake, Kawamura discloses an image

processing method wherein parameters for modifying copy density are saved along with

image data and relating information, and the image data and parameters are acquired

by referring to the relating information (number of copies, copy density (directly related

to lightness), original document page number to be copied, and copy paper size stored

in reserve control memory along with job number corresponding to stored image data to

be copied (column 6, lines 41-54; Fig. 6)). Providing copy density (lightness) for

processing images when the image ID is selected enables control of the lightness in

scanned color images, thereby enhancing the quality of the output image. Therefore, it

would have been obvious for one of ordinary skill in the art to provide an additional

parameter for modifying copy density, as disclosed by Kawamura, in the parameter

setting unit of Hisatake.

Regarding claim 41, Hisatake does not disclose "wherein the parameter includes

time information that enables management of a plurality of the image processing to be

executed in time series." This limitation is disclosed in Kawamura (a process pertaining

to a job number is performed when a start time is reached (column 7, lines 3-13)). By

providing time information, a user may preprogram the image apparatus to execute

processing of image data at a later time, thereby adding to convenience in operation.

Therefore, it would have been obvious for one of ordinary skill in the art to modify the

teaching of Hisatake, by providing time information for performing image processing, as

disclosed in Kawamura.

5.   Claims 1-6, 8, 13, 14, 16-21, 23, 28-32, 35 and 36 are rejected under 35 U.S.C.

103(a) as being unpatentable over U.S. Patent 6,377,359 (Higashio) in view of

Kawamura.

Regarding claims 1-6, 8, 13 and 14, Higashio teaches an image data processing

apparatus in which a parameter representing contents of a predetermined image

processing to be executed on image data and the image data are saved together with

mutual relating information, the apparatus comprising: a parameter setting unit which

sets a parameter representing contents of a predetermined image processing to be

executed on image data (column 7, line 64 – column 8, line 25); a data saving unit

which saves the image data and the parameter together with relating information

(column 8, lines 31-35; column 5, lines 43-54); a data acquiring unit which acquires the

image data and the parameter by referring to the relating information (column 5, lines

54-59); and an image processing reproducing unit which obtains image data subjected

to the specified image processing based on the acquired image data and parameter

(column 9, lines 4-9). The parameter represents a type or degree of an image

processing (resolution conversion, enlargement/reduction ratio (column 8, lines 10-46)).

There are a plurality of parameters every image processing type (parameters for

resolution conversion include resolution of output device, information on original size

(column 8, lines 10-14). A plurality of parameters can be saved and execution can

selectively be performed from the parameters (column 8, lines 31-46; Fig. 5). The

parameter is divided into a plurality of selectable sets, and an image processing is

carried out based on a set of parameters which are selected during execution

(resolution conversion as mentioned above performed according to separate sets of

additional information (Fig. 5)). The parameter setting unit sets contents of an image

processing based on a result obtained by statistically analyzing the image data (column

9, lines 27-35). The image processing reproducing unit selects an image processing

section to execute an image processing represented by the parameter and executes the

image processing (column 7, lines 52-54).

Regarding claim 15, Higashio teaches a medium recording an image data set

recording: image data (image database including image data (column 5, lines 43-44)); a

parameter representing contents of a predetermined image processing such that the

image processing can be carried out for corresponding image data (image database

further includes image size and resolution (column 5, lines 54-57)); and relating

information for relating the image data to the parameter such that the contents of the

image processing represented by the parameter can be executed on the image data

(keyword associated with retrieval of image data (column 5, lines 57-59)).

Regarding claims 16-21, 23, 28 and 29, Higashio teaches a medium recording an

image data processing program for causing a computer to execute steps for performing

image processing as recited in above-rejected claims 1-6, 8, 13 and 14, respectively

(ROM 203 stores program for implementing image data management system (column

4, lines 20-24, 55 and 56)).

Regarding claims 30-32, 35 and 36, Higashio teaches an image data processing

method in which a parameter representing contents of a predetermined image

processing to be executed on image data is set, the image data and the parameter are

saved together with relating information (column 8, lines 31-35; column 5, lines 43-54);

and the image data and the parameter are acquired by referring to the relating

information (column 5, lines 54-59); and image data subjected to the specified image

processing are obtained based on the acquired image data and parameter (column 9,

lines 4-9). The image data are statistically analyzed and contents of an image

processing are set based on a result of the analysis (column 9, lines 27-35). An image

processing section is selected to execute an image processing represented by the

parameter and is caused to execute the image processing (column 7, lines 52-54).

As mentioned above, base claims 1-3, 16-18 and 30-32 have been amended to

indicate setting of parameter representing contents "to modify at least one of a hue

component, a luminance value, a lightness value and a color saturation value of the

image data." This limitation is not disclosed by Higashio either, but as mentioned

above, Kawamura discloses an image processing method wherein parameters for

modifying copy density are saved along with image data and relating information, and

the image data and parameters are acquired by referring to the relating information

(number of copies, copy density (directly related to lightness), original document page

number to be copied, and copy paper size stored in reserve control memory along with

job number corresponding to stored image data to be copied (column 6, lines 41-54;

Fig. 6)). Providing copy density (lightness) for processing images when the image ID is

selected enables control of the lightness in scanned color images, thereby enhancing

the quality of the output image. Therefore, it would have been obvious for one of

ordinary skill in the art to provide an additional parameter for modifying copy density, as

disclosed by Kawamura, in the parameter setting unit of Higashio.

6.   Claim 42 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hisatake

in view of Kawamura as applied to claim 1 above, and further in view of U.S. Patent

5,335,097 (Murakami).

Neither Hisatake nor Kawamura disclose "wherein an image of the image data

and an image of the image data subjected to the specified image processing are

displayed side by side." This limitation is disclosed in Murakami (images before and

after correction displayed side by side in a split screen mode on an image monitor

(column 18, lines 58-60; column 24, lines 9-13)). By displaying images before and after

processing side by side, a user is better able to directly compare the two images to

determine whether the processing was performed to his or her satisfaction. Therefore,

it would have been obvious for one of ordinary skill in the art to modify the combined

teaching of Hisatake and Kawamura, by providing side-by-side display of image data

before and after processing, as disclosed in Murakami.

Conclusion

7.   In view of new grounds for rejection not necessitated by amendment, this Office

action is non-final.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Thomas D. Lee whose telephone number is (571) 272-

7436. The examiner can normally be reached on Monday-Friday, 7:30-5:00, alternate

Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Edward L. Coles can be reached on (571) 272-7402. The fax phone

number for the organization where this application or proceeding is assigned is 571-

273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Thomas D Lee
Primary Examiner
Technology Division 2625

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June 20, 2007